



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH
*1102 SE Quince Street • PO Box 47990
Olympia, Washington 98504-7990*

January 29, 2002

Representative Kelli Linville, Chair
House Agriculture and Ecology Committee
John L. O'Brien Building
2nd Floor, Room 207-A
Olympia, Washington 98504-0600

Dear Madam Chair,

I am writing to share with you our neutral position and concerns regarding House Bill 2596. As you may know, the Board has already begun a rule revision process that seeks to accomplish HB 2596's intent to develop uniform state food service rules, using the FDA Food Code as a guide (see attached CR101). We are not willing to pre-judge the outcome of this process so early in the process.

Despite our neutral position we are concerned about the aggressive timeline, given the limited resources of the Board and the Department of Health (DOH). To adopt rules by December 1, 2003, the Board would require additional funding for increased staff and meeting costs. Current process and regulatory reform requirements include comment periods to incorporate stakeholder concerns and economic analyses. We will need additional resources to speed up the process. The process could also be streamlined and costs lessened by amendments to this legislation suspending regulatory reform requirements.

Additional fiscal impacts would result from the Board being required to review local emergency administrative actions within 60 days after the action is taken. This could result in the Board holding as many as twice the number of meetings it currently has scheduled and budgeted. Interpretation of food service rules by Board staff would also have fiscal impacts on the Board's budget.

Finally, we are concerned regarding HB 2596's judgment about pre-emption of local health jurisdictions' authority. This would set a precedent for a significant policy change regarding the roles and relationships of state and local governments by making the state the sole arbiter and authority. We are not sure that limiting the authority of local health

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departments is the best policy for public health or for communities' political self-determination. We respect the legislature's judgment regarding this matter.

Sincerely,

Linda Lake	Carl Osaki
Chair, Washington State Board of Health	Chair, Environmental Health Committee

Enclosure

cc: House Agriculture and Ecology Committee Members
Senate Agriculture and International Trade Committee Members
Washington State Board of Health Members
Patty Hayes, Department of Health
Don Sloma, Executive Director, Washington State Board of Health
Ms. Ree Sailors, Governor's Office of Health Policy